

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 18-cr-0067 (WMW)

Plaintiff,

**ORDER DENYING MOTION TO
SEAL**

v.

Terry J. Albury,

Defendant.

This matter is before the Court on Defendant Terry J. Albury's motion to seal certain documents. (Dkt. 54.) For the reasons addressed below, the motion is denied.

Local Rule 49.1 explains the procedures by which a party in a criminal case may file documents under seal. Certain documents do not require a motion to seal. *See* LR 49.1(c). If a party seeks to file under seal a document that is not covered by Local Rule 49.1(c), the party must file that document under temporary seal and then file a motion to seal and a memorandum of law that, among other things, explains why the document should remain under seal. LR 49.1(d)(1).

The Court sentenced Albury on October 18, 2018 and issued the sentencing judgment on October 26, 2018. Albury filed a letter to the Court under temporary seal on October 23, 2018. (Dkt. 43.) Albury seeks to seal the October 23, 2018 letter until he

completes the custodial portion of his sentence, arguing that the letter contains sensitive information.¹

The Court concludes, and Albury concedes, that the letter's contents address publicly available information. Moreover, Albury does not persuasively explain why the letter should remain under seal.

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Defendant Terry J. Albury's motion to seal, (Dkt. 54), is **DENIED**.

Dated: January 4, 2019

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge

¹ Albury also moves to seal the Court's Statement of Reasons. (Dkt. 46.) The Court's Statement of Reasons is a non-public document that is kept under seal indefinitely in any criminal case. For this reason, Albury need not obtain a court order sealing this document. Assuming that Albury instead intended to move to seal the letter filed on October 26, 2018, (Dkt. 47), that motion is denied for the same reasons addressed above.